

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RAJKO LJUTICA,

Plaintiff,

v.

ALBERTO R. GONZALES, U.S. Attorney General,
MICHAEL CHERTOFF, Secretary Department of
Homeland Security, EDUARDO AGUIRRE, Director,
U.S. Citizenship & Immigration Services, ANDREA J.
QUARANTILLO, Field Office Director, New York,

Defendants.
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Electronically Filed

07 Civ. 6129 (JSR)

**PLAINTIFF'S RESPONSE
TO DEFENDANTS'
STATEMENT OF
UNDISPUTED FACTS**

Pursuant to Rule 56.1(b) of the Local Civil Rules of the United States District Court for the Southern District of New York, Rajko Ljutica plaintiff responds to statement of undisputed facts as follows:

1. Deny that Plaintiff was charged with Attempted Bank Fraud
2. Admit that on May 26, 1993, Ljutica entered into a plea agreement with the government on count two of the indictment. Deny that the plea was for attempted bank fraud, in satisfaction of the charges against him. See Plea Agreement, dated May 26, 1993.
3. Deny, that Ljutica stipulated that "an acceptable method of determining 'loss' figure [under the federal Sentencing Guidelines] is \$475,025.25, the amount the defendants would have realized had the scheme charged in Count Two been successful."
4. Admit

5. Admit
6. Admit
7. Admit
8. Admit
9. Admit

Dated: Astoria, New York
October 8, 2007

Respectfully submitted.

By: 

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